

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30215 of 2024**

Arising Out of PS. Case No.-502 Year-2023 Thana- RAJAON District- Banka

Dinesh Yadav son of Late Nunkesar Yadav Village- Chakrosan @ Chkrosan
@ Chakroshan Ps- Rajoun Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 30410 of 2024

Arising Out of PS. Case No.-502 Year-2023 Thana- RAJAON District- Banka

Mahesh Yadav S/o Late Nunkesar Yadav @ Nand Kishore Yadav R/o vill -
Chakrosan @ Chkrosan @ Chakroshan, P.S. - Rajoun, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 30215 of 2024)
For the Petitioner/s : Mr.Suman Kumar
For the Opposite Party/s : Mr.Ganesh Prasad Singh
(In CRIMINAL MISCELLANEOUS No. 30410 of 2024)
For the Petitioner/s : Mr.Suman Kumar
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner of both the aforesaid cases seek
bail in connection with S.T. No. 100 of 2024 arising out of
Rajoun P.S. Case No. 502 of 2023 registered for the offence
under Section 302/120B of the Indian Penal Code.



3. As per the prosecution case, the deceased was called by the petitioners and other accused person/s. Subsequently he did not return and his body has been found on the railway track.

4. It has been argued by the learned counsel for the petitioners Shri Pankaj Kumar Sinha that the deceased has died in a railway accident and the petitioners have been falsely implicated in this case. From the materials available on record, he further submits that it is a case of last seen.

5. Learned APP for the State has opposed the prayer of the petitioners for grant of bail.

6. I have heard and considered the submission of the parties.

7. Though, the post-mortem report suggests that the injuries were caused by train accident but I am not convinced about that from the reading of the post-mortem report. None of the injuries, which have been found are caused in a railway accident.

8. Considering the fact that the petitioner and others are said to have taken the victim and thereafter the victim has been killed, this Court is not inclined to grant bail to the petitioners.



9. Accordingly, this application is dismissed.

10. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Sandeep Kumar, J)

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